

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

-

WRIT PETITION NO : 14069 of 2005

Between:

K.Hussain Pasha S/o.late K.Adbul Khadeer,
R/o.Pedda Panjani Village and Mandal, Chittoor District.

..... PETITIONER

AND

- 1 A.P.State Housing Corporation Ltd., rep.by its District collector/Executive Director, Chittoor.
- 2 The Deputy Executive Engineer (Housing) A.P.Housing Corporation Ltd., Madanapalli, chittoor.
- 3 The Asst. Engineer (Housing) A.P.Housing Corporation Ltd., Chowdepalli, Chittoor.

...RESPONDENTS

ORDER:

By the impugned proceedings of the first respondent dated 03.06.2005 the petitioner-work inspector working at Peddapanjani Mandal sector of the A.P. State Housing Corporation Limited was placed under suspension pending enquiry on the ground of certain irregularities committed during the course of service. It is not contended that the first respondent is incompetent to have exercised the powers. What is contended is that the second respondent had made an inspection of the houses on the basis of a directive of the third respondent which led to the submission of a report by the second respondent which was the basis of suspension pending enquiry and the third respondent had no jurisdiction to direct an enquiry into the quality of the houses constructed as the houses were beyond the third respondent territorial jurisdiction. It is not in dispute that the third respondent's is a supervisory position employee of the State Housing Corporation. Whether the third first respondent had jurisdiction to inspect or not is for the first respondent to consider. Whether the petitioner had committed the illegalities/irregularities during his service, is matter more appropriate to consider at the enquiry initiated against him, if any. Merely on the ground that the third respondent did not have territorial jurisdiction to direct an enquiry by the second respondent

into the quality of houses constructed by the corporation, the report of the second respondent on the basis of which the suspension of the petitioner had been ordered cannot be invalidated nor can the suspension be interdicted on that ground.

There are no merits. However, the first respondent is directed to expeditiously conclude disciplinary enquiry against the petitioner preferably within four months from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No costs.

01-09-2005

kvrn